

THE HONORABLE TIFFANY M. CARTWRIGHT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

GERALD BOGLE,

Plaintiff,

v.

BIG LOTS MANAGEMENT, LLC,

Defendant.

No. 3:23-cv-05588-TMC

STIPULATED MOTION TO STAY
CASE PENDING ARBITRATION

NOTE ON MOTION CALENDAR:
December 4, 2023

1 Plaintiff Gerald Bogle and Defendant Big Lots Management, LLC (collectively
2 “Parties”), appearing by and through their respective attorneys of record, hereby stipulate and
3 jointly move the Court to stay the above-captioned matter to permit the Parties to proceed in
4 arbitration before the American Arbitration Association.

5 This is an employment lawsuit. Plaintiff initially filed his first Complaint in this Court
6 on June 30, 2023, asserting federal and state law employment-related claims. *See* Dkt. 1 at ¶ 1.
7 He later filed his First Amended Complaint on August 18, 2023. *See* Dkt. 14.

8 Defendant’s counsel provided Plaintiff’s counsel with a signed Arbitration Agreement
9 wherein the Parties agreed to submit “any legal claims or disputes between [them] arising out of
10 or related to [Plaintiff’s] employment . . . or termination of employment” to binding arbitration,
11 which covers claims that Plaintiff brought in the instant lawsuit. *See* the Arbitration Agreement
12 attached to this Motion as *Exhibit A*. The Parties stipulate that the Arbitration Agreement permits
13 the parties to have all rights provided under the Federal Arbitration Act, 9 U.S.C. §§ 10, 11. The
14 Parties also stipulate to modify the Arbitration Agreement insofar as the Parties will use the King
15 County Superior Court Local Civil Rules for discovery.

16 Subject to the above stipulations, the Parties hereby agree to stay the case pending the
17 above-referenced arbitration. The Parties agree to file a status report and/or dismissal within
18 thirty (30) days following the completion of binding arbitration.

19 Accordingly, the Parties request that the Court stay this matter pursuant to 9 U.S.C. § 3,
20 pending completion of arbitration in accordance with the terms of the Arbitration Agreement
21 and the stipulations above.

DATED: December 4, 2023

THE BLANKENSHIP LAW FIRM, PLLC

LANE POWELL PC

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Attorneys for Defendant

ORDER

ORDERED that the above captioned matter is stayed pending arbitration. The parties must submit a status report and/or notice of dismissal within thirty (30) days following the completion of arbitration. The parties must also submit a status report no later than June 4, 2024, informing the Court of the status of the case whether the arbitration is completed or not.

DATED this 4th day of December, 2024.



Tiffany M. Cartwright
United States District Court Judge

Presented by:

LANE POWELL PC

By: /s/ Beth G. Joffe
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Attorney for Defendant

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Attorneys for Plaintiff

DECLARATION OF SERVICE

I hereby certify under penalty of perjury under the laws of the State of Washington that on the date and in the manner listed below I caused delivery of a true copy of the attached document to the following attorneys for Defendant(s):

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☐ by Electronic Mail
☐ by Facsimile Transmission
☐ by First Class Mail
☐ by Hand Delivery
☒ by Notification via E-filing System

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DATED this 4th day of December, 2023, at Seattle, Washington.

/s/ Will Cummins
Will Cummins
Paralegal